

SENATE BILL No. 133

By Senator Holscher

1-30

1 AN ACT concerning crimes, punishment and criminal procedure; relating
2 to firearms; enacting the responsible gun ownership act; establishing
3 the crime of unlawful storage of a firearm; providing penalties for
4 violations thereof.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) Unlawful storage of a firearm is storing or leaving a
8 firearm that is not secured by a trigger lock mechanism, placed in a
9 securely locked safe, box or other container or placed in some other
10 location that a reasonable person would believe to be secure from any
11 minor gaining access to such firearm and when such firearm is:

12 (1) Accessed by a minor;
13 (2) used by a minor to cause bodily harm to another person; or
14 (3) used by a minor to cause great bodily harm to or the death of
15 another person.

16 (b) Unlawful storage of a firearm as defined in:

17 (1) Subsection (a)(1) is a class C person misdemeanor;
18 (2) subsection (a)(2) is a severity level 9, person felony; and
19 (3) subsection (a)(3) is a severity level 5, person felony.

20 (c) It shall not be a violation of subsection (a) if at the time the
21 firearm was accessed or used by a minor:

22 (1) The firearm was inoperable;
23 (2) the firearm was within the firearm owner's immediate access and
24 control;

25 (3) the minor unlawfully entered the area where the firearm was
26 stored or left; or

27 (4) the firearm was used by a minor in lawful defense of the minor's
28 person, another person or the minor's property.

29 (d) As used in this section, "minor" means any person under 18 years
30 of age.

31 (e) This section shall be known and may be cited as the responsible
32 gun ownership act.

33 (f) This section shall be a part of and supplemental to the Kansas
34 criminal code.

35 Sec. 2. This act shall take effect and be in force from and after its
36 publication in the statute book.